

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JANE DOE, on behalf of JOHN DOE, her  
minor child,

Plaintiff,

v.

MARTY SMALL, SR., in his official  
capacity as Mayor of Atlantic City, New  
Jersey, and individually,

LA'QUETTA SMALL, in her official  
capacity as Former Principal of Pennsylvania  
Avenue School, and individually,

BARRY CALDWELL, in his official  
capacity as current Superintendent of the  
Atlantic City School District,

PAUL A. SPAVENTA, in his official  
capacity as former Interim Superintendent of  
the Atlantic City School District,

ATLANTIC CITY BOARD OF  
EDUCATION, a public entity, and

KAYAN AHMED FRAZIER, an individual,

Defendants.

Civil Action No.: 1:21-cv-11189

**REQUEST TO ENTER DEFAULT AS TO  
DEFENDANT, BARRY CALDWELL**

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**TO CLERK:**

Please enter upon the docket the default of the Defendant, Barry Caldwell, in the  
above-entitled action for failure to plead or otherwise defend as provided by the rules of the

Court or by an Order of this Court, or because the Answer of the Defendant has been stricken.

**LENTO LAW GROUP, P.C.**



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TERRELL A. RATLIFF, ESQUIRE

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*Attorney for Plaintiff*

TRIAL COUNSEL

**UNITED STATES DISTRICT COURT  
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**CERTIFICATION IN SUPPORT OF  
REQUEST TO ENTER DEFAULT  
AGAINST DEFENDANT,  
BARRY CALDWELL**

I, Terrell A. Ratliff, Esquire, certifies as follows:

1. I am the attorney for the Plaintiff, Jane Doe on behalf of John Doe, her minor child.
2. The Complaint and Summons in this action were served upon the Defendant, Barry Caldwell, as appears from the Affidavit of Service filed with the Court. See attached Exhibit "A".
3. The Defendant, Barry Caldwell, has failed to answer the Complaint in this matter and the Defendant, Barry Caldwell, has not otherwise moved for an extension to Answer.

I certify that the foregoing statements made by me are true. I am aware that if any of the

foregoing statements made by me are willfully false, I am subject to punishment.

**LENTO LAW GROUP, P.C.**



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*Attorney for Plaintiff*

TRIAL COUNSEL

# **EXHIBIT “A”**

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

**JANE DOE,**  
*Plaintiff*

**V.**

**SUMMONS IN A CIVIL CASE**

**MARTY SMALL, SR, ET AL.,**  
*Defendant*

CASE  
NUMBER: 1:21-CV-11189-RMB-SAK

TO: *(Name and address of Defendant)*

Barry Caldwell  
Office of the Superintendent  
1300 Atlantic Avenue  
Atlantic City, New Jersey 08401

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

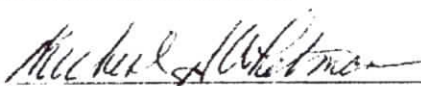
**Lento Law Group**  
**3000 Atrium Way**  
**Suite 200**  
**Mt. Laurel, New Jersey 08054**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

s/ WILLIAM T. WALSH  
CLERK



ISSUED ON 2021-05-13 17:04:55, Clerk  
USDC NJD

RETURN OF SERVICE		
Service of the Summons and complaint was made by (method)	DATE	6/13/2021
NAME OF SERVER (PRINT)	TITLE	Courier
Check one box below to indicate appropriate method of service		
<p>Served personally upon the defendant. Place where served: <u>1300 ATLANTIC AVE</u>  <u>ATLANTIC CITY NJ</u></p> <p>Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p>Name of person with whom the summons and complaint were left: <u>Rosalind (Security)</u></p> <p>Returned unexecuted: _____</p> <p>Other (specify): _____</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on	Date	Signature of Server
6/13/2021		
<p>Address of Server</p> <p style="text-align: center;"><b>Road Runner Courier Service Inc.</b>  <b>708 E Main Street</b>  <b>Moorestown NJ 08057</b></p>		



# ROAD RUNNER

## COURIER SERVICE, INC.

708 E. MAIN STREET, MOORESTOWN, NJ 08057

Office: (856) 428-7500 • Fax: (856) 428-7510

Web: roadrunner1st.com

Docket # 1:21-cv-11189

Case Name: De V. Smith, Jr., et al

### Summons & Complaint

Defendant De V. Smith, Jr., et al, Moorestown, NJ

Date

Place (Name & Address)

Received Summons - hand delivered

Served On (Print Name & Title)

(Manner of Service)

Robert A. Smith Owner

Served by (Print Name)

Title:

### DECLARATION OF SERVER

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made are willfully false, I am subject to punishment.

Executed on : June 16, 2021

Signature of Server: [Signature]

708 E. Main Street  
Moorestown, NJ 08057